MAY 1 0 2005

Docket No.: 242/9-1568

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Roberto Valducci

Serial No.:

09/898,425

Group Art Unit: 1615

Filing Date:

July 3, 2001

Examiner: Blessing M. Fubara

For:

ORAL SOLID PHARMACEUTICAL FORMULATION WITH PH-

DEPENDENT MULTIPHASIC RELEASE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **NOTICE OF APPEAL**

Sir:

In response to the Final Office Action dated January 11, 2005, the applicant hereby appeals from the Examiner's rejection of claim 35 and 37-46 of the application. Please charge deposit account number. 04-0838 \$250 for the Appeal fee.

Respectfully submitted,

Coleman Sudol Sapone P.C. 714 Colorado Avenue Bridgeport, Connecticut 06605-1601

Telephone No. (203) 366-3560

Facsimile No. (203) 335-6779

William J. Sapone

Registration No. 32,518

Attorney for Applicant(s)

05/12/2005 NNGUYEN1 00000017 040838 09898425 250.00 DA 01 FC:2401